

Congress of the United States

Washington, DC 20515

February 3, 2004

The Honorable Tom Ridge
Secretary
U.S. Department of Homeland Security
Washington, DC 20528

Dear Mr. Secretary:

We are writing to urge the Department to support maintaining an alert level of "High" (Threat Condition Orange) in Boston Harbor and Everett, Massachusetts whenever Liquefied Natural Gas (LNG) tankers enter the Port of Boston to be offloaded at the terminal in Everett. Specifically, the Everett LNG facility should be considered a critical asset that warrants enhanced protective measures consistent with those implemented when the Threat Level was elevated to Orange in December 2003. We also call on the Department to maintain federal reimbursement of overtime and other extraordinary expenditures by local authorities for the purpose of securing this vulnerable target from terrorism during the arrival, docking and departure of the LNG tankers.

Since the terrorist attacks on September 11, 2001, local law enforcement authorities, working with federal officials, have implemented comprehensive, and costly, security measures to protect inbound shipments of LNG through Boston Harbor. As you know, shipments to the LNG facility in Everett must travel through Boston Harbor and in very close proximity to downtown Boston and densely populated communities like Everett and neighboring cities and towns. This particular configuration is unlike any other LNG terminal in the United States and warrants the special attention of the Department. Ongoing security expenditures by these local communities are straining already tight budgets, particularly during the ongoing economic downturn.

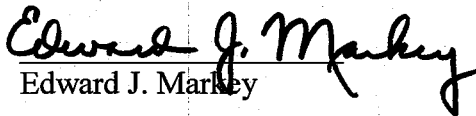
We understand that local spending on security measures implemented during LNG deliveries to the Everett facility over the course of the recent Orange Threat Level was eligible for federal reimbursement. Despite the subsequent lowering of the Threat Level to Yellow, significant security issues associated with LNG shipments to the Everett terminal persist, and they still require the local communities surrounding the terminal to expend funds at the level spent on security during the recent Orange alert. In fact, we have been informed that the LNG deliveries to the Everett terminal require security measures consistent with those in effect during Orange Threat Levels, regardless of whether the national threat level is at Orange. We also note that, even during periods at which the nation is at a Yellow Threat Level nationally, the potential threat to LNG facilities and LNG tankers may prompt warnings to local responders and facility operators that suggest increased security measures be undertaken. Therefore, we urge the Department to ensure that local governments' expenditures on security associated

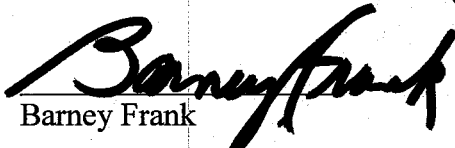
with the weekly LNG shipments to the Everett terminal are reimbursable from federal funds.

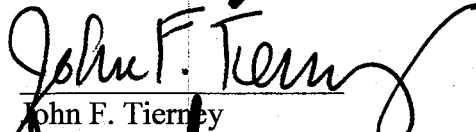
According to the terms of the FY 2004 formula grants distributed to the states and the FY 2003 supplemental appropriation for critical infrastructure protection, it appears that funds spent on enhanced security measures such as those implemented by local authorities in the vicinity of the Everett LNG terminal may be reimbursable from federal funds. We request that the Department clarify these eligibility criteria, particularly as they relate to reimbursement for overtime pay and similar expenditures required for enhanced protection of critical infrastructure such as the Everett LNG facility.

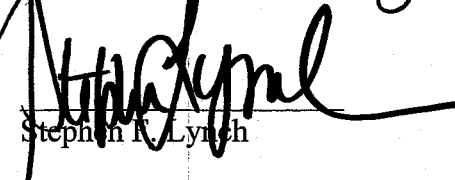
We appreciate your attention to this important issue and look forward to the Department's response. If you have any questions, please have a member of your staff contact Mark Bayer or Jeff Duncan of Rep. Markey's office at 202-225-2836.

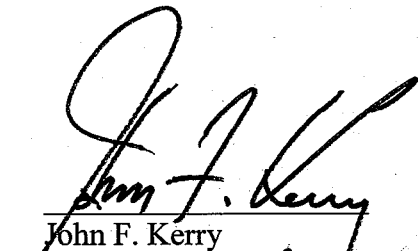
Sincerely,


Edward J. Markey

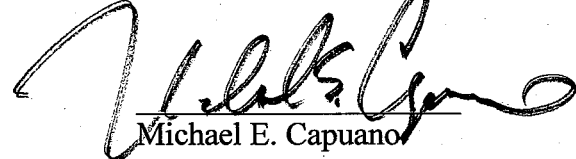

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